

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

SHEPARDS DISCOUNT DRUGS INC

CASE NO. 6:24-CV-00735

VERSUS

JUDGE ROBERT R. SUMMERHAYS

LOUISIANA WHOLESALE DRUG CO INC

**MAGISTRATE JUDGE CAROL B.
WHITEHURST**

JUDGMENT

This matter was referred to United States Magistrate Judge Carol B. Whitehurst for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that, consistent with the report and recommendation, Louisiana Wholesale Drug Co. Inc.'s Rule 12(b)(6) Motion (Rec. Doc. 10) is GRANTED as to Shepards' LUTPA claim and DENIED as to Shepards' breach of contract claim. Shepards' request for injunctive relief is also denied at this time.

Signed at Lafayette, Louisiana, this 5th day of November, 2024.

A handwritten signature in black ink, appearing to read 'R. Summerhays', written over a horizontal line.

ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE